

30 Rockefeller Plaza, New York, NY 10112

tel (212) 408-5100 fax (212) 541-5369

CHADBOURNE
& PARKE LLP
John F. Finnegan
direct tel 212-408-1082
jfinnegan@chadbourne.com

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VIA ECF

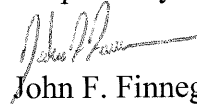
Honorable David N. Hurd,
United States District Judge
United States District Court,
Northern District of New York
10 Broad Street
Utica, NY 13501

Re: Utica Mutual Ins. Co. v. Fireman's Fund Ins. Co.
6:09-cv-00853 (DNH)(GHL)
and
Utica Mutual Ins. Co. v. INA Reins. Co.
6:12-cv-00194 (DNH)(GHL)

Dear Judge Hurd:

We write on behalf of Fireman's Fund Insurance Company ("FFIC") and R&Q Reinsurance Company, f/k/a INA Reinsurance Company ("R&Q"), to respond to the question posed by the Court in the Court's Text Orders dated February 6, 2012. FFIC and R&Q are each willing to waive the conflict Magistrate Judge George H. Lowe would have if he were asked to provide advisory opinions on all currently pending motions following his return to private practice and, more particularly, upon his affiliation with Bond, Schoeneck & King, PLLC ("BS&K") as "of counsel." FFIC and R&Q understand that appropriate screening procedures would be put in place at BS&K isolating Mr. Lowe and any BS&K personnel who might assist Mr. Lowe in preparing his reports and recommendations from BS&K personnel who are working on Utica Mutual matters.

Respectfully submitted,


John F. Finnegan

cc: Hon. George H. Lowe, United States
Magistrate Judge
Walter Andrews, Esq.
Syed S. Ahmad, Esq.
Thomas J. Hall, Esq.
Robert A. Schwinger, Esq.
Mary A. Lopatto, Esq.
Nancy Monarch, Esq.

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